

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
JAMES CHRISTOPHER AYERS,
Defendant.

) Case No. CR05-0370-RSL
)
)
)
) SUMMARY REPORT OF U.S.
) MAGISTRATE JUDGE AS TO
) ALLEGED VIOLATIONS
) OF SUPERVISED RELEASE
)

An initial appearance and hearing regarding revocation of supervised release was held on May 3, 2007, before the Hon. Mary Alice Theiler. At the hearing, defendant was advised of three alleged violations of the conditions of his supervised release, advised of his rights, and admitted to all three violations as to whether they occurred.

The defendant had been charged and convicted of Tampering with Consumer Products on February 10, 2006, and was sentenced by the Hon. Robert S. Lasnik to 12 months plus one day in custody to be followed by three years of supervised release.

The conditions of supervised release included the requirements that the defendant comply with all local, state, and federal laws, and with the standard conditions. Special conditions imposed included, but were not limited to, substance-abuse and mental-health treatment participation, financial disclosure, consent to search and seizure, and no new credit to be obtained.

A final hearing regarding the disposition of the three violations of his supervised release was set before the Honorable Robert S. Lasnik, for May 23, 2007, but later

**REPORT AND RECOMMENDATION OF
U.S. MAGISTRATE JUDGE AS TO ALLEGED
VIOLATIONS OF SUPERVISED RELEASE**

01 rescheduled for September 12, 2007, at 8:30 a.m.

02 Pending disposition of these violations, defendant was released subject to the terms of
03 his continued supervision.

04 On June 13, 2007, a Supplemental Violation Report was lodged against defendant,
05 incorporating the violations alleged with the prior violations previously reported to the Court
06 on April 6, 2007. A sealed Order for Warrant was issued on June 18, 2007.

07 In this Supplemental Violation Report, U.S. Probation Officer Angela M. McGlynn
08 asserted the following additional violations by defendant of the conditions of his supervised
09 release.

10 (4) Failing to report for urinalysis testing on April 26 and on May 29, 2007, in
11 violation of the special condition requiring the defendant to submit to urinalysis testing.

12 (5) Using methamphetamine on or before June 6, 2007, in violation of standard
13 condition number 7.

14 (6) Using marijuana on or before June 6, 2007, in violation of standard condition
15 number 7.

16 An initial appearance and hearing regarding revocation of supervised release for the
17 supplemental violations was held on June 25, 2007, before the Hon. James P. Donohue. The
18 government was represented by Ms. Annette Hayes, and defendant was represented by Ms.
19 Nancy Tenney. The proceedings were recorded on cassette tape.

20 The defendant was advised of the allegations, and advised of his rights. Defendant
21 admitted to violations 4, 5, and 6, and waived any rights to an evidentiary hearing as to
22 whether they occurred.

23 I therefore recommend that the Court find the defendant to have violated the terms
24 and conditions of his supervised release as to violations 4, 5, and 6, and that the Court
25 incorporate these violations with the hearing limited to disposition of violations 1, 2, and 3,
26 which has been set before the Hon. Robert S. Lasnik, on September 12, 2007, at 8:30 a.m.

Pending a final determination by the Court, the defendant has been released, subject
to the terms of continued supervision.

DATED this 26th day of June, 2007.



JAMES P. DONOHUE
United States Magistrate Judge

cc: District Judge: Honorable Robert S. Lasnik
AUSA: Ms. Annette Hayes
Defendant's attorney: Ms. Nancy Tenney
Probation officer: Ms. Jennifer Van Flandern